



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB6705

by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

625 ILCS 5/16-105.1 new

Amends the Illinois Vehicle Code. Defines "regular gasoline" and "retail gasoline price". Provides that a municipality may, by ordinance, impose a \$12 fuel surcharge upon any fine imposed for an offense against traffic regulations governing the movement of vehicles under the Illinois Vehicle Code if the offense is committed within the corporate limits of the municipality and the violator is arrested by the municipal police. Provides that a county may, by ordinance, impose a \$12 fuel surcharge upon any fine imposed for an offense against traffic regulations governing the movement of vehicles under the Code if the offense is committed within the county and the violator is arrested by the county sheriff's department. Further provides that the arrest must be made during a week in which the retail gasoline price is \$3 or more. Provides that a municipality or county must, by ordinance, create a special fund for the surcharge. Specifies that moneys in the fund must be used to operate and maintain the municipality's or county's law enforcement vehicles. Provides that the fuel surcharge does not apply to any offense committed on or after January 1, 2011. Effective immediately.

LRB095 22037 RLJ 52309 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by adding
5 Section 16-105.1 as follows:

6 (625 ILCS 5/16-105.1 new)

7 Sec. 16-105.1. Fuel surcharge.

8 (a) As used in this Section:

9 "Regular gasoline" means gasoline having an octane rating,
10 as defined in 16 C.F.R. Part 306, greater than or equal to 85
11 and less than 88.

12 "Retail gasoline price" means the Weekly Retail Gasoline
13 and Diesel Price for a gallon of regular gasoline, including
14 taxes, reported by the Energy Information Administration of the
15 U.S. Department of Energy for Petroleum Administration for
16 Defense District 2 (Midwest U.S.).

17 If the Energy Information Administration of the U.S.
18 Department of Energy does not report a Weekly Retail Gasoline
19 and Diesel Price for regular gasoline for Petroleum
20 Administration for Defense District 2 (Midwest U.S.) for a
21 particular week, the retail gasoline price for that week shall
22 be deemed to be the most recent Weekly Retail Gasoline and
23 Diesel Price for regular gasoline for Petroleum Administration

1 for Defense District 2 (Midwest U.S.) reported before that
2 week.

3 If the Energy Information Administration of the U.S.
4 Department of Energy permanently discontinues its reporting of
5 a Weekly Retail Gasoline and Diesel Price for regular gasoline
6 for Petroleum Administration for Defense District 2 (Midwest
7 U.S.), the Secretary of State shall adopt emergency and
8 permanent rules establishing an alternative method for
9 determining the retail gasoline price for regular gasoline
10 which shall be used for purposes of this Section.

11 (b) A municipality may adopt an ordinance providing for (1)
12 the imposition of a \$12 fuel surcharge upon any fine imposed
13 for an offense against traffic regulations governing the
14 movement of vehicles under this Code if the offense is
15 committed within the corporate limits of the municipality and
16 the violator is arrested by the municipal police department
17 during a week in which the retail gasoline price is \$3 or more
18 and (2) the creation of a special fund to be used solely for
19 the operation and maintenance of the municipality's law
20 enforcement vehicles. If a fine is imposed for an offense
21 against traffic regulations governing the movement of vehicles
22 under this Code that is committed within the corporate limits
23 of a municipality after the municipality adopts such an
24 ordinance and the retail gasoline price is \$3 or more during
25 the week in which the offense is committed, a \$12 fuel
26 surcharge shall be collected in addition to the fine and

1 disbursed to the municipality for deposit into the special fund
2 created under this subsection (b).

3 (c) A county may adopt an ordinance providing for (1) the
4 imposition of a \$12 fuel surcharge upon any fine imposed for an
5 offense against traffic regulations governing the movement of
6 vehicles under this Code if the offense is committed within the
7 county and the violator is arrested by the county sheriff's
8 department during a week in which the retail gasoline price is
9 \$3 or more and (2) the creation of a special fund to be used
10 solely for the operation and maintenance of the county's law
11 enforcement vehicles. If a fine is imposed for an offense
12 against traffic regulations governing the movement of vehicles
13 under this Code that is committed within a county, but outside
14 the corporate limits of any municipality imposing a fuel charge
15 under subsection (b), after the county adopts such an ordinance
16 and the retail gasoline price is \$3 or more during the week in
17 which the offense is committed, a \$12 fuel surcharge shall be
18 collected in addition to the fine and disbursed to the county
19 for deposit into the special fund created under this subsection
20 (c).

21 (d) This Section does not apply to any offense committed on
22 or after January 1, 2011.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.